

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FIRST LEGISLATURE

SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 8, 2012

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Davis and Malepeai, absent and formally excused by the Chair; and Senators Darrington, McKague, and Smyser, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jamie Bush, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 7, 2012, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

Senators Darrington and Smyser were recorded present at this order of business.

SCR 130

BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION
STATING LEGISLATIVE FINDINGS AND RECOGNIZING
THE ACHIEVEMENTS OF THE UNION PACIFIC
RAILROAD ON ITS 150TH ANNIVERSARY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, President Abraham Lincoln signed the Pacific Railway Act on July 1, 1862, creating the original Union Pacific Railroad; and

WHEREAS, the Oregon Short Line, a Union Pacific Railroad subsidiary, entered Idaho in 1882, eventually consolidating with the Utah Northern Railroad and the Utah Central Railroad, then merging into the Union Pacific Railroad in 1898; and

WHEREAS, the Union Pacific Railroad is the principal operating company of Union Pacific Corporation, linking the twenty-three states in the western two-thirds of the country by

rail and providing freight solutions and logistics expertise to the global supply chain; and

WHEREAS, the Union Pacific Railroad has 849 miles of Idaho track traversing many communities in the state and serving Idaho's agriculture, phosphate and forest products industries; and

WHEREAS, Northern and Southern Idaho are home to two of Union Pacific's main transcontinental arteries; and

WHEREAS, Pocatello and Nampa are both important hubs of branch lines and important terminals for Union Pacific in Idaho; and

WHEREAS, Union Pacific has 950 employees in Idaho with an annual payroll of \$73.7 million; and

WHEREAS, Union Pacific has made more than \$45 million in capital investments in Idaho over the last two years and has provided more than \$275,000 to charitable organizations in the state; and

WHEREAS, July 1, 2012, is the 150th anniversary of the Union Pacific Railroad.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that the achievements of the Union Pacific Railroad and its service to the people of the State of Idaho be recognized in this year of its 150th anniversary.

BE IT FURTHER RESOLVED that the Secretary of the Senate shall deliver a copy of this Resolution to the Union Pacific Railroad.

[SCR 130](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 8, 2012

The JUDICIARY AND RULES Committee reports that [S 1383](#) and [SR 104](#) have been correctly printed.

DARRINGTON, Chairman

[S 1383](#) was referred to the State Affairs Committee.

[SR 104](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 7, 2012

The RESOURCES AND ENVIRONMENT Committee reports out [H 396](#), [H 397](#), [H 399](#), [H 400](#), and [H 401](#) with the recommendation that they do pass.

PEARCE, Chairman

[H 396](#), [H 397](#), [H 399](#), [H 400](#), and [H 401](#) were filed for second reading.

March 7, 2012

The JUDICIARY AND RULES Committee reports out [S 1370](#) with the recommendation that it do pass.

DARRINGTON, Chairman

[S 1370](#) was filed for second reading.

March 7, 2012

The JUDICIARY AND RULES Committee reports out [S 1358](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, [S 1358](#) was referred to the Fourteenth Order of Business, General Calendar.

March 7, 2012

The FINANCE Committee reports out [H 621](#), [H 622](#), [S 1381](#), and [S 1382](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 621](#), [H 622](#), [S 1381](#), and [S 1382](#) were filed for second reading.

March 7, 2012

The EDUCATION Committee reports out [H 579](#) with the recommendation that it do pass.

GOEDDE, Chairman

[H 579](#) was filed for second reading.

March 7, 2012

The EDUCATION Committee reports out [HCR 39](#) and [HJM 8](#) with the recommendation that they do pass.

GOEDDE, Chairman

[HCR 39](#) and [HJM 8](#) were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 7, 2012

The EDUCATION Committee reports out [H 426](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

GOEDDE, Chairman

There being no objection, [H 426](#) was referred to the Fourteenth Order of Business, General Calendar.

March 7, 2012

The HEALTH AND WELFARE Committee reports out [H 541](#) with the recommendation that it do pass.

LODGE, Chairman

[H 541](#) was filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 6, 2012

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Milford Terrell of Eagle, Idaho, was appointed as a member of the State Board

of Education to serve a term commencing March 1, 2012, and expiring March 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Education Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 7, 2012

Dear Mr. President:

I transmit herewith [H 440](#), [H 576](#), [H 599](#), [H 562](#), as amended, and [HCR 44](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 440](#), [H 576](#), [H 599](#), [H 562](#), as amended, and [HCR 44](#) were filed for first reading.

March 7, 2012

Dear Mr. President:

I transmit herewith Enrolled [H 484](#), [H 489](#), and [H 517](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 484](#), [H 489](#), and [H 517](#) and ordered them returned to the House.

March 7, 2012

Dear Mr. President:

I return herewith [S 1333](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1333](#) was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1384

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2013; APPROPRIATING REED ACT MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS.

S 1385
BY JUDICIARY AND RULES COMMITTEE
 AN ACT

RELATING TO CHALLENGES TO APPORTIONMENT PLANS; AMENDING CHAPTER 15, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1509, IDAHO CODE, TO PROVIDE THAT WITHIN THE TIME AND IN THE MANNER PRESCRIBED BY RULE OF THE SUPREME COURT, ANY REGISTERED VOTER, INCORPORATED CITY OR COUNTY IN THIS STATE MAY APPEAL TO THE SUPREME COURT A CONGRESSIONAL OR LEGISLATIVE REDISTRICTING PLAN ADOPTED BY THE REAPPORTIONMENT COMMISSION AND TO PROVIDE DUTIES OF THE COMMISSION; AND AMENDING CHAPTER 15, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-1510, IDAHO CODE, TO PROVIDE THAT PRIOR TO OCTOBER 1 OF A YEAR ENDING IN ONE, IN WHICH A NEW FEDERAL CENSUS IS AVAILABLE, ANY REGISTERED VOTER, INCORPORATED CITY OR COUNTY IN THIS STATE MAY CHALLENGE AN EXISTING LEGISLATIVE APPORTIONMENT BASED UPON THE NEW FEDERAL CENSUS BY FILING A PETITION IN THE SUPREME COURT INVOKING ITS ORIGINAL JURISDICTION IN SUCH MANNER AS PRESCRIBED BY RULE OF THE SUPREME COURT.

[S 1384](#) and [S 1385](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 440](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 576](#) and [H 599](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 562](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[HCR 44](#), by State Affairs Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 512](#), as amended, and [H 513](#), by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

[H 615](#), [H 616](#), [H 617](#), and [H 618](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1375](#), [S 1376](#), and [S 1377](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 540](#), as amended, by Business Committee, was read the second time at length and filed for third reading.

[H 516](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1330](#) and [S 1366](#), by State Affairs Committee, were read the second time at length and filed for third reading.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

On request by Senator McKenzie, granted by unanimous consent, [SCR 127](#) retained its place on the calendar for Friday, March 9, 2012.

The President announced that [SCR 128](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Stennett, [SCR 128](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 129](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McKenzie, seconded by Senator Stennett, [SCR 129](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

Senator McKague was recorded present at this order of business.

The President announced that [HCR 37](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Siddoway, seconded by Senator Nuxoll, [HCR 37](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Fulcher, granted by unanimous consent, [HCR 36](#) retained its place on the calendar for Friday, March 9, 2012.

The President announced that the Transportation Committee report relative to the Gubernatorial appointment of Jim Kempton was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cameron, seconded by Senator Werk, the Gubernatorial appointment of Jim Kempton as a member of the Idaho Transportation Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1321](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Tippets, Toryanski, Vick, Winder. Total - 25.

NAYS—Andreason, Bilyeu, Bock, Broadsword, LeFavour, Schmidt, Stennett, Werk. Total - 8.

Absent and excused—Davis, Malepeai. Total - 2.

Total - 35.

Whereupon the President declared [S 1321](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1336](#), as amended, retained its place on the Third Reading Calendar for Monday, March 12, 2012.

On request by Senator Winder, granted by unanimous consent, [S 1360](#) retained its place on the Third Reading Calendar for one legislative day.

Having voted on the prevailing side by which [S 1321](#), as amended, passed the Senate, Senator Winder served notice that he may on this or the next legislative day move for reconsideration of the vote.

[S 1321](#), as amended, was ordered held at the Secretary's desk.

On request by Senator Winder, granted by unanimous consent, all Senate bills as amended in the Senate were placed at the head of the Third Reading Calendar, followed by remaining Senate bills, followed by House bills as amended, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Winder, seconded by Senator Bock, by voice vote, the Senate recessed at 11:15 a.m. until the hour of 4:15 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 4:15 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Andreason, Davis and Malepeai, absent and formally excused by the Chair; and Senators Bilyeu, Corder, Goedde, Heider, and Werk, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 8, 2012

The JUDICIARY AND RULES Committee reports that [S 1333](#) has been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled [S 1333](#) and ordered it transmitted to the House for the signature of the Speaker.

Senator Goedde was recorded present at this order of business.

March 8, 2012

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 420](#), [H 421](#), [H 422](#), [H 523](#), as amended, [H 598](#), and [S 1369](#) with the recommendation that they do pass.

ANDREASON, Chairman

[H 420](#), [H 421](#), [H 422](#), [H 523](#), as amended, [H 598](#), and [S 1369](#) were filed for second reading.

March 8, 2012

The TRANSPORTATION Committee reports out [H 511](#), as amended, with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HAMMOND, Chairman

There being no objection, [H 511](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the following typographical correction was made to [S 1321](#), as amended, pursuant to Senate Rule 9(F):

On Page 2 of the engrossed bill, line 11, conservation was changed to environment and line 12 environment was changed to conservation.

Whereupon the President ordered the bill transmitted to the House.

Senators Bilyeu, Corder, and Werk were recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1271](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Brackett and Siddoway disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Hill, Johnson, Keough, LeFavour, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 31.

NAYS—None.

Absent and excused—Andreason, Davis, Heider, Malepeai. Total - 4.

Total - 35.

Whereupon the President declared [S 1271](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1282](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1375](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Hill, Johnson, Keough, LeFavour, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk, Winder. Total - 31.

NAYS—None.

Absent and excused—Andreason, Davis, Heider, Malepeai. Total - 4.

Total - 35.

Whereupon the President declared [S 1375](#) passed, title was approved, and the bill ordered transmitted to the House.

Senator Heider was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, [H 464](#) retained its place on the Third Reading Calendar for one legislative day.

[H 379](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—Andreason, Davis, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared [H 379](#) passed, title was approved, and the bill ordered returned to the House.

[H 460](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—Andreason, Davis, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared [H 460](#) passed, title was approved, and the bill ordered returned to the House.

[H 462](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—Andreason, Davis, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared [H 462](#) passed, title was approved, and the bill ordered returned to the House.

[H 463](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—Andreason, Davis, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared [H 463](#) passed, title was approved, and the bill ordered returned to the House.

[H 526](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Brackett, Broadsword, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Tippetts, Toryanski, Vick, Winder. Total - 27.

NAYS—Bock, LeFavour, Schmidt, Stennett, Werk. Total - 5.

Absent and excused—Andreason, Davis, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared [H 526](#) passed, title was approved, and the bill ordered returned to the House.

[H 600](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—Andreason, Davis, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared [H 600](#) passed, title was approved, and the bill ordered returned to the House.

[H 601](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—Andreason, Davis, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared [H 601](#) passed, title was approved, and the bill ordered returned to the House.

[H 602](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Mortimer disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 32.

NAYS—None.

Absent and excused—Andreason, Davis, Malepeai. Total - 3.

Total - 35.

Whereupon the President declared [H 602](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [H 464](#) was placed at the head of the Third Reading Calendar, followed by all Senate bills, followed by all remaining House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Bock, by voice vote, the Senate adjourned at 5:30 p.m. until the hour of 10 a.m., Friday, March 9, 2012.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary